

CLEAN WATER ACT

R6-2-15-B. Administrative Determinations Regarding  
the Obtaining of Penalties for Spills

1. AUTHORITY. To perform the administrative functions which are the responsibility of the Environmental Protection Agency under Section II of the Memorandum of Agreement dated August 15, 1979, between the Agency and the U.S. Coast Guard. This includes the authority to determine that it is appropriate to initiate a civil judicial penalty action for the discharge of oil or hazardous substances into or upon the navigable waters of the United States.
2. TO WHOM DELEGATED. The Director, Superfund Division in accordance with the provisions of the Memorandum of Agreement.
3. REDELEGATION AUTHORITY. This authority may not be redelegated.
4. ADDITIONAL REFERENCES.
  - a. The Memorandum of Agreement referenced in paragraph 1 concerning the Assessment of Civil Penalties for Discharges of Oil and Designated Hazardous Substances is published in the Federal Register of August 29, 1979, at 44 FR 50785.
  - b. Sections 309 and 311 of the Clean Water Act (CWA).
  - c. For referral of the corresponding civil judicial actions to the Department of Justice, see the chapter 2 delegation entitled "Civil Judicial Enforcement Actions."

Delegation of Authority from the  
Regional Administrator